



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V
1201 ELM STREET
DALLAS, TEXAS 75270

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SURVEILLANCE BRANCH
6E-S

May 7, 1986

Mr. Larry R. Soward
Executive Director
Texas Water Commission
P.O. Box 13087, Capitol Station
Austin, Texas 78711

Re: VCC Agrichemicals, Inc.
(Formerly: Velsicol-Beaumont Facility)
EPA I.D. No. TXD067261412

Dear Mr. Soward:

This letter is to provide a summary of our conclusions drawn from a comprehensive RCRA investigation into the VCC Agrichemicals, Inc. (VCC) facility and to inform you of what action EPA intends to take as a result. We have, on several occasions over the last six weeks, talked to various members of your staff to discuss our proposed findings and requested their comments. We now must proceed with the actions described herein.

First, we have examined numerous documents obtained from TWC files including solid and hazardous waste, air, UIC, and the dioxin survey. We have also reviewed a large volume of information obtained from VCC itself. Further, we have conducted two CEIs, one CME, and one comprehensive sampling inspection. We have interviewed TWC personnel in the District office as well as many Austin office personnel in various environmental programs. Based upon this exhaustive evaluation of all available data, we must conclude that the four surface impoundments known as 1A, 1B, 2A, and 2B are not subject to RCRA Subtitle C regulation as hazardous waste treatment, storage, and disposal units. In our opinion, there is no substantial evidence on which to base a conclusion of regulatory jurisdiction over these units. However, the facility is an interim status facility for the storage of hazardous waste in containers and tanks (we understand however, that VCC intends to become a 90-day accumulator, which would obviate the need for a final RCRA permit).

Second, we understand that VCC (and the TWC) desires the closure of these impoundments. We completely support this action. We are therefore referring the closure of these units to the TWC to process as they see fit. It is our understanding that closure can be accomplished as a solid waste management unit either by your division or by the UIC program. The EPA does not intend to pursue closure.

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However, it is our intention to address the groundwater contamination present at VCC, due (at least in part) to the past operation of the impoundments. We have been in negotiation with VCC over the past several months to develop an acceptable work plan to conduct groundwater assessment and remediation. The final work plan is due in the next few weeks.

EPA will issue a RCRA §3008(h) corrective action order to VCC within the next two months which will require further investigation and remediation of the uppermost aquifer to background levels of hazardous constituents (particularly dichlorophenol and 2,4-D). Should sources, other than the impoundment, be identified as sources of groundwater contamination, we will amend the order as appropriate.

The member of my staff who is responsible for the issuance of the order is David Maiefski (214) 767-0455. Should you have any questions regarding this matter, please call me, or have your staff call Will Focht at (214) 767-9884.

Sincerely yours,

/s/ Carl Edlund
for Allyn M. Davis
Director
Hazardous Waste Management Division

cc: Rhonda McKinnon
UIC Program
Texas Waste Commission

bcc: Guanita Reiter (6H-H0)
Ann Banks (6H-CE)
Carla Nelson (6C-H)
David Maiefski (6H-CE)
→ Dave Parrish (6E-SA)